

ARK. PUB. SEC. DIV.

FEB 2 2 19 PM '98

ARKANSAS  
PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN BELL TELEPHONE COMPANY )  
FOR APPROVAL OF AN INTERCONNECTION )  
AGREEMENT UNDER THE TELECOMMUNICATIONS )  
ACT OF 1996 WITH QUINTELCO, INC. )

DOCKET NO. 97-423-U  
ORDER NO. 1ORDER

On November 21, 1997, Southwestern Bell Telephone Company (SWBT) filed an Application for approval of a Resale Interconnection Agreement (Agreement) under the Telecommunications Act of 1996 (1996 Act) between SWBT and Quintelco, Inc. (Quintelco). According to the Application, the Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The 1996 Act requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e). The 1996 Act specifies that the Commission may only reject:

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, or necessity; . . . 47 U.S.C. §252(e)(2).

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Page 2

Section 9(i) of 1997 Ark. Act 77 requires that the Commission "approve any negotiated interconnection agreement . . . filed pursuant to the Federal Act unless it is shown by clear and convincing evidence that the agreement . . . does not meet the minimum requirements of Section 251 of the Federal Act (47 U.S.C. 251)."

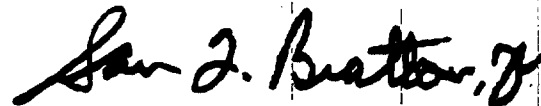
No evidence has been presented that would indicate that the proposed Resale Interconnection Agreement between SWBT and Quintelco is discriminatory or inconsistent with the public interest, convenience and necessity. The Agreement between Quintelco and SWBT is a negotiated agreement and there is no evidence that the Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A) or Sec. 9(i) of 1997 Ark. Act 77. Therefore, the Resale Interconnection Agreement filed on November 21, 1997, should be and is hereby approved pursuant to Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

BY ORDER OF THE COMMISSION.

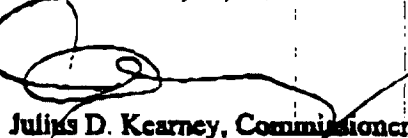
This 2<sup>nd</sup> day of February, 1998.




Lavenki R. Smith, Chairman



Sam I. Bratton, Jr., Commissioner

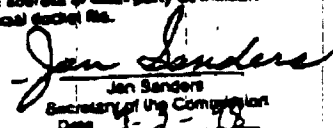


Julius D. Kearney, Commissioner



Jan Sanders  
Secretary of the Commission

I hereby certify that the following order issued by the Arkansas Public Service Commission has been served on all parties of record this date by U. S. mail with postage prepaid, using the address of each party as indicated in the official docket file.



Jan Sanders  
Secretary of the Commission  
Date 2-2-98

**ARKANSAS  
PUBLIC SERVICE COMMISSION**

Jan 7 11 43 AM 1998

FILED

**IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN BELL TELEPHONE COMPANY )  
FOR APPROVAL OF AN INTERCONNECTION )  
AGREEMENT UNDER THE )  
TELECOMMUNICATIONS ACT OF 1996 WITH )  
GO-TEL, INC. )**

**DOCKET NO. 97-420-U  
ORDER NO. 2**

**ORDER**

On November 19, 1997, Southwestern Bell Telephone Company (SWBT) filed an Application for approval of a Resale Interconnection Agreement (Agreement) under the Telecommunications Act of 1996 (1996 Act) between SWBT and Go-Tel, Inc. According to the Application, the Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The 1996 Act requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e). The 1996 Act specifies that the Commission may only reject:

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, or necessity; . . . .
- 47 U.S.C. §252(e)(2).

Section 9(i) of Ark. Act 77 of 1997 requires that the Commission "approve any negotiated interconnection agreement . . . filed pursuant the Federal Act unless it is shown by clear and

convincing evidence that the agreement . . . does not meet the minimum requirements of Section 251 of the Federal Act (47 U.S.C. 251)."

No evidence has been presented that would indicate that the proposed Resale Interconnection Agreement between SWBT and Go-Tel is discriminatory or inconsistent with the public interest, convenience and necessity. The Agreement between Go-Tel and SWBT is a negotiated agreement and there is no evidence that the Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A) or Sec. 9(i) of Ark. Act 77 of 1997. Therefore, the Resale Interconnection Agreement filed on November 19, 1997, should be and is hereby approved pursuant to Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

**BY ORDER OF THE COMMISSION.**

This 7<sup>th</sup> day of January, 1998.

  
Lavenski R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission

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**ARKANSAS  
PUBLIC SERVICE COMMISSION**

**FILED**

**IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN BELL TELEPHONE COMPANY )  
AND BROOKS FIBER COMMUNICATIONS OF )  
ARKANSAS, INC. FOR APPROVAL OF APPENDIX )  
TO INTERCONNECTION AGREEMENT UNDER )  
THE TELECOMMUNICATIONS ACT OF 1996 )**

**DOCKET NO. 97-422-U  
ORDER NO. 1**

**ORDER**

On November 21, 1997, Southwestern Bell Telephone Company (SWBT) and Brooks Fiber Communications of Arkansas, Inc. (Brooks) filed a Joint Application seeking approval of an Appendix to the Interconnection Agreement between SWBT and Brooks previously approved by the Commission. On November 26, 1997, SWBT and Brooks submitted an Amendment to the Joint Application, stating that the Joint Application incorrectly referred to Brooks as Brooks Fiber Communications, Inc.

Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e), requires that:

(1) **APPROVAL REQUIRED.** - Any interconnection agreement adopted by negotiation shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

(2) **GROUND FOR REJECTION.** - The State commission may only reject -

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that -

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; ...

DOCKET NO. 97-422-U  
PAGE 2

The Commission must approve or reject a negotiated interconnection agreement within ninety (90) days of the date the agreement is filed with the Commission pursuant to Sec. 252(e)(4) of the 1996 Act. If the Commission fails to carry out its responsibility to review a negotiated interconnection agreement, the Federal Communications Commission "shall issue an order preempting the State commission's jurisdiction of that proceeding. . . ." Sec. 252(c)(5).

In response to the Joint Application and the proposed Amendment, no party has provided any information that would indicate that the terms contained in the Amendment are discriminatory against a telecommunications carrier not a party to this docket or are inconsistent with the public interest, convenience and necessity. The Amendment submitted on November 21, 1997, as amended on November 26, 1997, by SWBT and Brooks is therefore approved.

**BY ORDER OF THE COMMISSION.**

This 16<sup>th</sup> day of December, 1997.

  
Joseph R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission

DEC 4 2 19 PM '97

**ARKANSAS  
PUBLIC SERVICE COMMISSION**

**FILED**

**IN THE MATTER OF THE APPLICATION OF )  
ALLTEL MOBILE COMMUNICATIONS, INC. AND )  
SOUTHWESTERN BELL TELEPHONE COMPANY )  
FOR APPROVAL OF INTERCONNECTION )  
AGREEMENT PURSUANT TO THE )  
TELECOMMUNICATIONS ACT OF 1996 )**

**DOCKET NO. 97-381-U  
ORDER NO. 2**

**ORDER**

On October 17, 1997, Southwestern Bell Telephone Company (SWBT) and ALLTEL Mobile Communications, Inc. (ALLTEL Mobile) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996 (1996 Act) between SWBT and ALLTEL Mobile. According to the Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The 1996 Act requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e). The 1996 Act specifies that the Commission may only reject:

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, or necessity; . . . .
- 47 U.S.C. §252(e)(2).

**DOCKET NO. 97-381-U  
PAGE 2**

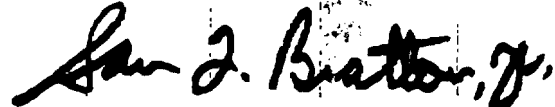
Section 9(i) of Ark. Act 77 of 1997 requires that the Commission "approve any negotiated interconnection agreement . . . filed pursuant the Federal Act unless it is shown by clear and convincing evidence that the agreement . . . does not meet the minimum requirements of Section 251 of the Federal Act (47 U.S.C. 251).


No evidence has been presented that would indicate that the proposed Interconnection Agreement between SWBT and ALLTEL Mobile is discriminatory or inconsistent with the public interest, convenience and necessity. The Interconnection Agreement between ALLTEL Mobile and SWBT is a negotiated agreement and there is no evidence that the agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A) or Sec. 9(i) of Ark. Act 77 of 1997. Therefore, the Interconnection Agreement filed on October 17, 1997, should be and is hereby approved pursuant to Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).


**BY ORDER OF THE COMMISSION.**

This 4<sup>th</sup> day of December, 1997.

  
Lavenski R. Smith, Chairman

  
Sam'l. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission



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**ARKANSAS  
PUBLIC SERVICE COMMISSION**

FILED

**IN THE MATTER OF SOUTHWESTERN BELL  
TELEPHONE COMPANY APPLICATION FOR  
APPROVAL OF INTERCONNECTION  
AGREEMENT UNDER THE  
TELECOMMUNICATIONS ACT OF 1996 WITH  
ENTERGY HYPERION TELECOMMUNICATIONS  
OF ARKANSAS, L.L.C.**

**DOCKET NO. 97-367-U  
ORDER NO. 2**

**ORDER**

On October 3, 1997, Southwestern Bell Telephone Company (SWBT) and Entergy Hyperion Telecommunications of Arkansas, L.L.C. (Entergy Hyperion) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996 (1996 Act) between SWBT and Entergy Hyperion. According to the Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The 1996 Act requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e). The 1996 Act specifies that the Commission may only reject:

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
    - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
    - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, or necessity; . . . .
- 47 U.S.C. §252(e)(2).

DOCKET NO. 97-367-U

PAGE 2

Section 9(i) of Ark. Act 77 of 1997 requires that the Commission "approve any negotiated interconnection agreement . . . filed pursuant the Federal Act unless it is shown by clear and convincing evidence that the agreement . . . does not meet the minimum requirements of Section 251 of the Federal Act (47 U.S.C. 251).

On November 5, 1997, Initial Comments were filed by ACSI Local Switched Services, Inc. (ACSI Local), stating that the Pole Attachment Agreement between ACSI Local and Entergy Services, Inc. and its affiliate Entergy Arkansas, Inc. contains onerous terms in favor of Entergy Arkansas, Inc. and is one of the most expensive Pole Attachment Agreements which ACSI Local has executed. ACSI states that Entergy Hyperion, through its affiliate Entergy Arkansas, Inc. controls a "bottleneck" facility (pole attachment) which is necessary for fair and active competition for local exchange services. ACSI Local claims that "Entergy Hyperion could gain an unfair and discriminatory competitive advantage if it executes a Pole Attachment Agreement with Entergy Services, Inc. which allows for cross-subsidization between Entergy Hyperion and Entergy Services, Inc. and which is less costly than the agreement which ACSI Local has with Entergy Services, Inc." (Initial Comments, §4).

ACSI Local requests that the Commission condition any grant of operating authority to Entergy Hyperion, and any approval of an Interconnection Agreement involving Entergy Hyperion, on Entergy Hyperion's agreement to refrain from any unfair, anticompetitive or discriminatory actions, whether taken directly or through its affiliates. ACSI Local also requests that Entergy Hyperion should expressly be ordered to refrain from seeking or accepting any

DOCKET NO. 97-367-U  
PAGE 3.

discriminatory favoritism from Entergy Services, Inc. or any companies in which Entergy Services, Inc. or its affiliates, parent or subsidiaries have an ownership interest.

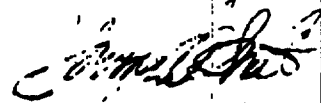
ACSI Local states that, if the Interconnection Agreement between SWBT and Entergy Hyperion is approved, the Commission should issue affirmative conditions to be placed on Entergy Hyperion in order to prevent any cross-subsidization among Entergy Hyperion and its electric utility affiliates. ACSI Local further requests that the Commission condition approval of any Interconnection Agreement between Entergy Hyperion and any other company which also utilizes utility poles upon full disclosure of any Pole Attachment Agreements between Entergy Hyperion, Entergy Services, Inc., Entergy Arkansas, Inc., SWBT and any other telecommunications carrier which has entered into an Interconnection Agreement or other contractual relationship with Entergy Hyperion.

While ACSI Local has expressed a number of concerns regarding the emergence of competition in the telecommunications market, it has presented no evidence that would indicate that the proposed Interconnection Agreement between SWBT and Entergy Hyperion is discriminatory or inconsistent with the public interest, convenience and necessity. Absent such evidence, the Commission has no basis for rejecting the Interconnection Agreement as proposed. The Interconnection Agreement between Entergy Hyperion and SWBT is a negotiated agreement and there is no evidence that the agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A) or Sec. 9(i) of Ark. Act 77 of 1997. Therefore, the Interconnection Agreement filed on October 3, 1997, should be and is hereby approved pursuant to Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

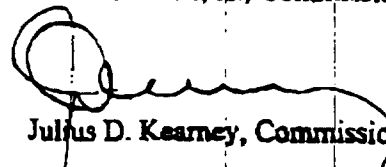
DOCKET NO. 97-367-U  
PAGE 4

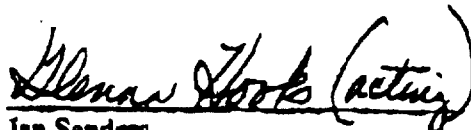
**BY ORDER OF THE COMMISSION.**

This 25<sup>th</sup> day of November, 1997.

  
Lavenski R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission

ARKANSAS  
PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN BELL TELEPHONE COMPANY )  
AND ALLTEL COMMUNICATIONS, INC. FOR )  
APPROVAL OF AMENDMENT TO )  
INTERCONNECTION AGREEMENT UNDER THE )  
TELECOMMUNICATIONS ACT OF 1996 )

DOCKET NO. 97-380-U  
ORDER NO. 1

## ORDER

On October 17, 1997, Southwestern Bell Telephone Company (SWBT) and ALLTEL Communications, Inc. (ACI) filed a Joint Application seeking approval of an Amendment to the Interconnection Agreement between SWBT and ALLTEL previously approved on June 25, 1997. On October 29, 1997, SWBT and ALLTEL submitted an amended and substituted Appendix SS7 to the Amendment to the Interconnection Agreement that replaced the Appendix SS7 filed on October 17, 1997.

Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e), requires that:

(1) APPROVAL REQUIRED. - Any interconnection agreement adopted by negotiation shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

(2) GROUNDS FOR REJECTION. - The State commission may only reject -

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that -

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .

DOCKET NO. 97-380-U  
PAGE 2

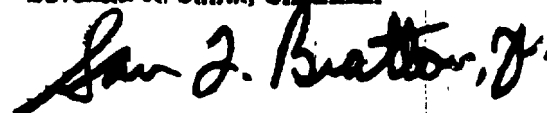
The Commission must approve or reject a negotiated interconnection agreement within ninety (90) days of the date the agreement is filed with the Commission pursuant to Sec. 252(e)(4) of the 1996 Act. If the Commission fails to carry out its responsibility to review a negotiated interconnection agreement, the Federal Communications Commission "shall issue an order preempting the State commission's jurisdiction of that proceeding. . . ." Sec. 252(e)(5).

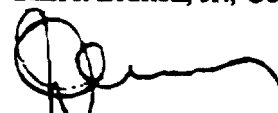
In response to the Joint Application and the proposed Amendment, no party has provided any information that would indicate that the terms contained in the Amendment are discriminatory against a telecommunications carrier not a party to this docket or are inconsistent with the public interest, convenience and necessity. The Amendment submitted on October 17, 1997, as amended on October 29, 1997, by SWBT and ACI is therefore approved.

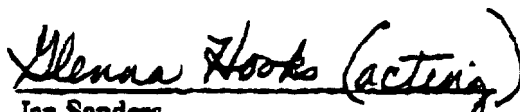
**BY ORDER OF THE COMMISSION.**

This 10<sup>th</sup> day of November, 1997.

  
Lavenki R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Glenna Hooks (acting)  
Jan Sanders  
Secretary of the Commission

ARK. PUBLIC UTILITY COMM.  
JAN. 24, 1998  
SECRETARY OF COM. M.

ARKANSAS  
PUBLIC SERVICE COMMISSION

Nov 7 2 38 PM '97

FILED

IN THE MATTER OF SOUTHWESTERN BELL )  
TELEPHONE COMPANY APPLICATION FOR )  
APPROVAL OF APPENDIX TO )  
INTERCONNECTION AGREEMENT UNDER THE )  
TELECOMMUNICATIONS ACT OF 1996 WITH )  
U.S. TELCO, INC. )

DOCKET NO. 97-368-U  
ORDER NO. /

**ORDER**

On October 3, 1997, Southwestern Bell Telephone Company (SWBT) and U.S. Telco, Inc. (U.S. Telco) filed a Joint Application seeking approval of an Appendix to a Resale Interconnection Agreement between SWBT and U.S. Telco previously approved on September 18, 1997. According to the Application, implementation of the Appendix complies fully with Sec. 252(e) of the Telecommunications Act of 1996 (1996 Act) because the Appendix is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e), requires that:

(1) **APPROVAL REQUIRED.** - Any interconnection agreement adopted by negotiation shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

(2) **GROUND FOR REJECTION.** - The State commission may only reject -

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that -

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .

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PAGE 2

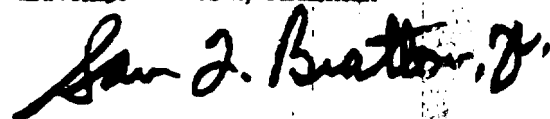
The Commission must approve or reject a negotiated interconnection agreement within ninety (90) days of the date the agreement is filed with the Commission pursuant to Sec. 252(e)(4) of the 1996 Act. If the Commission fails to carry out its responsibility to review a negotiated interconnection agreement, the Federal Communications Commission "shall issue an order preempting the State commission's jurisdiction of that proceeding. . . ." Sec. 252(e)(5).

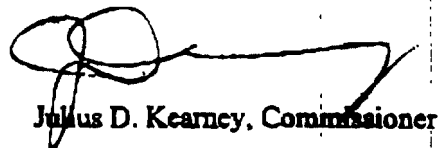
In response to the Joint Application and the proposed Appendix, no party has provided any information that would indicate that the terms contained in the Appendix are discriminatory against a telecommunications carrier not a party to this docket or are inconsistent with the public interest, convenience and necessity. The Appendix submitted on October 3, 1997, by SWBT and U.S. Telco is therefore approved.

**BY ORDER OF THE COMMISSION.**

This 7<sup>th</sup> day of November, 1997.

  
Lavenia R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission



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## ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF SOUTHWESTERN BELL )  
 TELEPHONE COMPANY APPLICATION FOR )  
 APPROVAL OF INTERCONNECTION )  
 AGREEMENT UNDER THE )  
 TELECOMMUNICATIONS ACT OF 1996 WITH )  
 U.S. TELCO, INC. )

DOCKET NO. 97-310-U  
 ORDER NO. 2

**ORDER**

On August 5, 1997, Southwestern Bell Telephone Company (SWBT) and U.S. Telco, Inc. (U.S.T.) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996. According to the Joint Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The Telecommunications Act of 1996 (1996 Act) requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e).

The 1996 Act specifies that the Commission may only reject:

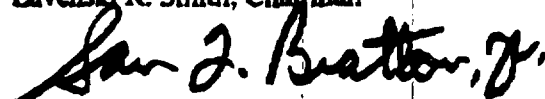
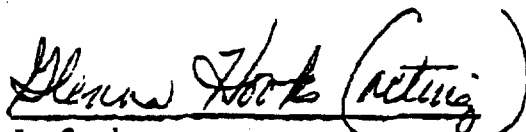
- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .
- 47 U.S.C. §252(e)(2).

## DOCKET NO. 97-310-U

Page Two

No evidence was presented that the Interconnection Agreement between SWBT and U.S.T. discriminates against a telecommunications carrier that is not a party to the agreement or that the agreement is not consistent with the public interest. The Interconnection Agreement is a negotiated agreement and there is no evidence that the Interconnection Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A). Therefore, the Interconnection Agreement between SWBT and U.S.T. filed on August 5, 1997, is approved as in compliance with Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

BY ORDER OF THE COMMISSION.

This 9th day of September, 1997.  
Lavenki R. Smith, Chairman  
Sam I. Bratton, Jr., Commissioner  
Julius D. Kearney, Commissioner  
Jan Sanders  
Secretary of the Commission

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## ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF SOUTHWESTERN BELL )  
 TELEPHONE COMPANY APPLICATION FOR )  
 APPROVAL OF INTERCONNECTION )  
 AGREEMENT UNDER THE )  
 TELECOMMUNICATIONS ACT OF 1996 WITH )  
 CAPROCK COMMUNICATIONS )  
 CORPORATION )

DOCKET NO. 97-309-U  
 ORDER NO. 2

**ORDER**

On August 5, 1997, Southwestern Bell Telephone Company (SWBT) and Caprock Communications Corporation (Caprock) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996. According to the Joint Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The Telecommunications Act of 1996 (1996 Act) requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e).

The 1996 Act specifies that the Commission may only reject:

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .
- 47 U.S.C. §252(e)(2).

**DOCKET NO. 97-309-U**  
**Page Two**


No evidence was presented that the Interconnection Agreement between SWBT and Caprock discriminates against a telecommunications carrier that is not a party to the agreement or that the agreement is not consistent with the public interest. The Interconnection Agreement is a negotiated agreement and there is no evidence that the Interconnection Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A). Therefore, the Interconnection Agreement between SWBT and Caprock filed on August 5, 1997, is approved as in compliance with Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

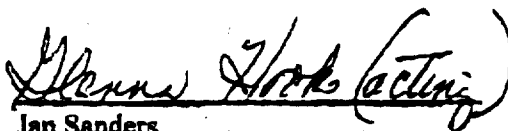
**BY ORDER OF THE COMMISSION.**

This 7th day of September, 1997.

  
Lavenski R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission

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## ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF SOUTHWESTERN BELL )  
 TELEPHONE COMPANY APPLICATION FOR )  
 APPROVAL OF INTERCONNECTION )  
 AGREEMENT UNDER THE )  
 TELECOMMUNICATIONS ACT OF 1996 WITH )  
 US WEST INTERPRISE AMERICA, INC. )

DOCKET NO. 97-293-U  
 ORDER NO. 2

**ORDER**

On July 23, 1997, Southwestern Bell Telephone Company (SWBT) and U. S. West Interprise America, Inc. d/b/a Interprise America, Inc. (Interprise) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996. According to the Joint Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The Telecommunications Act of 1996 (1996 Act) requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(c).

The 1996 Act specifies that the Commission may only reject:

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . . .
- 47 U.S.C. §252(c)(2).

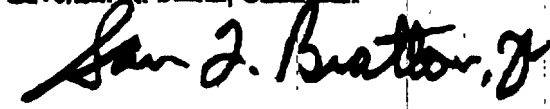
**DOCKET NO. 97-293-U**  
**Page Two**

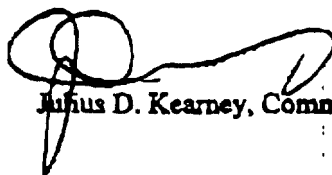
No evidence was presented that the Interconnection Agreement between SWBT and Interprise discriminates against a telecommunications carrier that is not a party to the agreement or that the agreement is not consistent with the public interest. The Interconnection Agreement is a negotiated agreement and there is no evidence that the Interconnection Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A). Therefore, the Interconnection Agreement between SWBT and Interprise filed on July 23, 1997, is approved as in compliance with Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

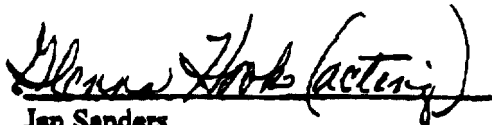
**BY ORDER OF THE COMMISSION.**

This 21st day of September, 1997.

  
Lavenski R. Smith, Chairman

  
Sam I. Bratton, Jr., Commissioner

  
Julius D. Kearney, Commissioner

  
Jan Sanders  
Secretary of the Commission

SEP 3 12 47 PM '97

## ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF THE APPLICATION )  
 OF SPRINT SPECTRUM L.P. AND )  
 SOUTHWESTERN BELL TELEPHONE )  
 COMPANY FOR APPROVAL OF AN )  
 INTERCONNECTION AGREEMENT )  
 PURSUANT TO THE TELECOMMUNICATIONS )  
 ACT OF 1996 )

DOCKET NO. 97-292-U  
 ORDER NO. 2

**ORDER**

On July 22, 1997, Southwestern Bell Telephone Company (SWBT) and Sprint Spectrum, L.P. d/b/a Sprint PCS (Sprint PCS) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996. According to the Joint Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The Telecommunications Act of 1996 (1996 Act) requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e).

The 1996 Act specifies that the Commission may only reject:

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .
- 47 U.S.C. §252(e)(2).

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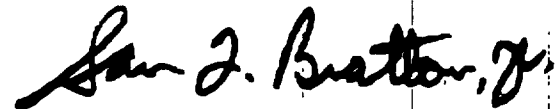
No evidence was presented that the Interconnection Agreement between SWBT and Sprint PCS discriminates against a telecommunications carrier that is not a party to the agreement or that the agreement is not consistent with the public interest. The Interconnection Agreement is a negotiated agreement and there is no evidence that the Interconnection Agreement should be rejected pursuant to 47 U.S.C. §252(e)(2)(A). Therefore, the Interconnection Agreement between SWBT and Sprint PCS filed on July 22, 1997, is approved as in compliance with Sec. 252(e) of the 1996 Act, 47 U.S.C. §252(e).

**BY ORDER OF THE COMMISSION.**

This 3rd day of September, 1997.



Lavenaki R. Smith, Chairman



Sam I. Bratton, Jr., Commissioner



Julius D. Kearney, Commissioner



Jan Sanders  
Secretary of the Commission



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## ARKANSAS PUBLIC SERVICE COMMISSION

SEP 3 12 47 PM '97

FILED

IN THE MATTER OF THE APPLICATION OF )  
 AT&T WIRELESS SERVICES, INC., AND )  
 SOUTHWESTERN BELL TELEPHONE )  
 COMPANY FOR APPROVAL OF AN )  
 INTERCONNECTION AGREEMENT )  
 PURSUANT TO THE TELECOMMUNICATIONS )  
 ACT OF 1996 )

DOCKET NO. 97-260-U  
 ORDER NO. 2

**ORDER**

On June 30, 1997, Southwestern Bell Telephone Company (SWBT) and AT&T Wireless Services, Inc. (AWS) filed a Joint Application for Approval of an Interconnection Agreement under the Telecommunications Act of 1996. According to the Joint Application, the Interconnection Agreement was negotiated and executed pursuant to the terms of the 1996 Act.

The Telecommunications Act of 1996 (1996 Act) requires that any negotiated interconnection agreement shall be submitted to the State commission for approval. The Commission shall approve or reject the agreement within ninety (90) days of the date it is submitted by the parties to the agreement or the agreement is deemed approved. 47 U.S.C. §252(e).

The 1996 Act specifies that the Commission may only reject:

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that:
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .
- 47 U.S.C. §252(e)(2).